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Corporation

FILED 10 JUL 28 2016 USDC ORE

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

KAWASAKI MOTORS FINANCE
CORPORATION, a Delaware corporation,

Civil No.: 10-cv-6221-TC

Plaintiff,

v.

CYCLE SPORTS OF SALEM, INC., an
Oregon corporation; DAVID COLFAX, an
individual; and JUNE COLFAX, an
individual;;

Defendants.

**STIPULATED TEMPORARY
RESTRAINING ORDER AND ORDER
~~TO SHOW CAUSE~~**

Pursuant to Fed. R. Civ. P. 64 and 65, the Stipulation of counsel for Plaintiff and for
Defendants Cycle Sports of Salem, Inc., and David Colfax set forth below, and based on
Plaintiffs' Motion for Prejudgment Claim and Delivery and Temporary Restraining Order,

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**STIPULATED TEMPORARY RESTRAINING ORDER AND
ORDER TO SHOW CAUSE**
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and the Declaration and supporting materials filed therewith (seeking Claim and Delivery and a Temporary Restraining Order),

IT IS HEREBY ORDERED that Defendants its agents, employees, officers and servants are hereby TEMPORARILY ENJOINED AND RESTRAINED from transporting, transferring, concealing, alienating, encumbering, disposing of or removing any and all completed and assembled inventory, equipment or goods financed by Plaintiff, whether now owned or later acquired by Defendants, together with all improvements, replacements, or additions thereto, and proceeds and receivables from the sale or disposition of any of the foregoing (including insurance premiums and insurance payments to Defendants, wherever the same may be located.

This Order includes but is not limited to the above specified property located at 4764 Portland Road, Salem, Oregon 97305, 1465 Johnson Street, Salem, Oregon 97301 and 555 River Road, Eugene, Oregon 97401.

The parties hereto have agreed to waive a bond for issuance of this Stipulated Temporary Restraining Order.

~~IT IS FURTHER ORDERED that Defendants shall appear and show cause why this Court should not allow Plaintiff's prayer for a Prejudgment Order for Claim and Delivery.~~

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~~directing Defendants to redeliver the assets subject to Plaintiff's Complaint, at a hearing to be held on the _____ of _____, 2010 at _____ a.m./p.m. before this Court.~~

DATED: 29 July, 2010



U.S. DISTRICT COURT JUDGE

THE FOREGOING IS SO STIPULATED AND AGREED:

BULLIVANT Houser BAILEY PC

By /s/ Loren D. Podwill
Loren D. Podwill
OSB #843241
Attorneys for Plaintiff Kawasaki Motors Finance Corporation

MUHLHEIM BOYD, LLP

By /s/ Keith Boyd
Keith Boyd,
OSB #760701
Attorneys For Defendants Cycle Sports of Salem, Inc., and David Colfax

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